

REMARKS

The above amendment is in response to the Notice of Non-Compliant Amendment dated September 2, 2009. Applicants submit that the foregoing listing of claims includes the text of all pending claims (including withdrawn claims). No new matter has been introduced by the amendment.

Applicants resubmit the following remarks from the reply filed June 24, 2009:

Information Disclosure Statement

The Applicant respectfully requests that the Examiner both consider and initial the reference "G.D.C. Csete de Gyorgyfalva, I.M. Reaney; "Decomposition of NiMn₂O₄ spinel: an NTC thermistor material," J. European Ceramic Society, Volume 21, Issues 10-11, 2001, pp. 2145-48." This reference was previously cited but not initialed on the returned 1449 form that accompanied the Office Action of February 24, 2009.

Rejections under 35 U.S.C. § 112

The Examiner rejected claim 18 under 35 U.S.C. § 112, second paragraph as being indefinite. As noted above, the Applicant has amended claim 18 to correct a typographical error. Accordingly, the Applicant respectfully requests that this rejection be withdrawn.

Claim Rejections

Claims 1-9, 12-13, and 15-29 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2002/0071258 (Mosley). Claims 10-11 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Mosley.

Claim 1 recites, *inter alia*, an electrical component “wherein the electrodes in at least the first electrode stack are electrically connected to first contacts and second contacts, the first contacts being offset from the second contacts.”¹ Mosley is not understood to describe or suggest at least these features of claim 1.

More specifically, as shown in figure 1A of Mosley (reproduced below) Mosley appears to disclose a multilayer capacitor 100 comprising a surface having connection sites 133 operable for coupling the capacitor to a substrate.

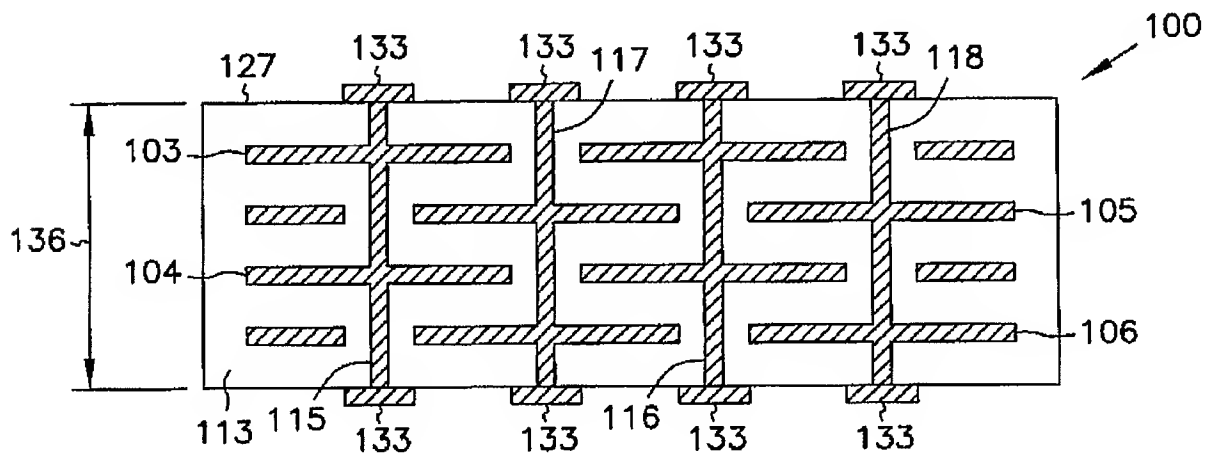


Figure 1A

¹ Emphasis supplied.

The connection sites of the capacitor are coupled to conductive layers 103-106 within the multilayered capacitor.² In this regard, Mosley states:

Conductive layers 103 and 104 are coupled together by vias 115 and 116, and conductive layers 105 and 106 are coupled together by vias 117 and 118. In one embodiment, vias 115-118 are plated through holes that terminate on outer surfaces 127 and 130 in a plurality of connection sites, such as controlled collapse chip connection (C4) sites 133.³

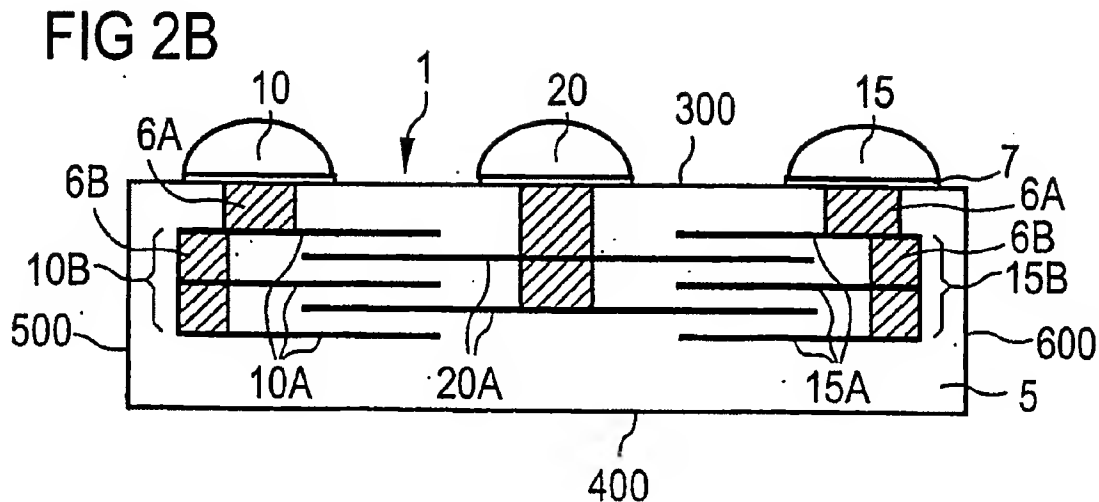
As shown in figure 1A above, the connection sites are coupled to the conductive layers of an electrode stack by aligned vias 115-118. The vias are perpendicular with respect to the main surfaces of the electrodes and connect the electrodes to the connection sites. These features of Mosley are distinguishable from the features of claim 1.

In contrast, amended claim 1 recites that the electrodes in at least the first electrode stack are electrically connected to first contacts and second contacts, the first contacts being offset from the second contacts. One example of this is shown in the embodiment depicted in the Applicant's figure 2B (reproduced below), where the first contacts 6A are offset from second contacts 6B.⁴

² Mosley, paragraph 0018.

³ Id.

⁴ Additional examples are also shown in the embodiments depicted in at least the Applicant's figures 3B, 4B, 5B, 6B, 7B, and 10. Other embodiments are within the scope of claim 1.



Thus, while Mosley discloses connection sites that are coupled to the conductive layers of an electrode stack by aligned vias, Mosley is not understood to describe or to suggest that the electrodes in at least the first electrode stack are electrically connected to first contacts and second contacts, the first contacts being offset from the second contacts.

For the foregoing reasons, claim 1 is believed to be patentable over the applied art.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this

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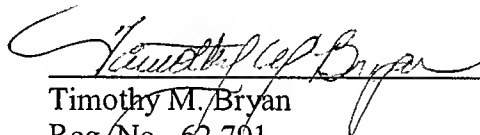
paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Please apply any charges or credits to deposit account 06-1050, referencing Attorney Docket 14219-102US1.

Respectfully submitted,

Date: September 10, 2009



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